

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Cesar Hage
Plant Manager
GAF Materials Corporation
P.O. Box 655607
Dallas, Texas 75265-5607

Re: Permit Renewal
Permit No. 7711A
Asphalt and Roofing Materials
Manufacturing Facility
Dallas, Dallas County
Account ID No. DB-0378-S

Dear Mr. Hage:

We have previously notified you by letter dated October 24, 2000 that your application for renewal of Permit No. 7711A is deficient and additional information was requested (letter enclosed). You have not adequately responded to this request.

An applicant for a permit renewal is required to submit information in support of the application which demonstrates that the requirements of 30 Texas Administrative Code Section 116.311(a) are met. In addition, the application must include information demonstrating that the facility is or has been in substantial compliance with the provisions of the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code, and with the terms of the existing permit.

If the Texas Natural Resource Conservation Commission (TNRCC) determines that an applicant for the renewal of a permit has not demonstrated that all requirements for renewal have been met, additional actions by the TNRCC are required and will be forthcoming. The TNRCC must (1) provide you notice that your facility does not meet the requirements for renewal, (2) set out in a report the basis for our determination, and (3) establish a schedule that you must meet the renewal requirements.

Mr. Cesar Hage

Re: Permit by Rule Registration No. 7711A

In the event that the Company does not satisfy the requirements specified in the report by the deadline set out in the schedule, the Company will be required to show cause why the permit should not expire immediately in a contested case hearing.

Such a "show cause" hearing is required by §116.314 and §382.055(g) of the TCAA. Failure of the Company to show cause will result in the immediate expiration of your existing permit.

(The requirement for the "show cause" hearing is distinct from the requirement for a public hearing pursuant to Section 382.056 of the TCAA and §116.312 (which is held as a result of a request for a public hearing from a person who may be affected by emissions from the facility). Due to the outstanding public hearing request on this renewal application, a "show cause" hearing will further complicate the renewal process of your permit. These two types of hearings, the contested public hearing and the "show cause" hearing, each have their own requirements. Thus, we must advise you of the possibility that both of the two different hearings may be held on your permit renewal. Of course, if the permit is rescinded in the "show cause" hearing, then there will be no need for a public hearing on the renewal.)

This letter is notice to you as required by Section 382.055(g) of the TCAA and §116.314 that your application cannot be renewed. The attached report sets out the basis of our determination and establishes a schedule by which you must meet all renewal requirements. **Failure to submit this information by the date specified in this schedule will result in the institution of a "show cause" hearing.**

If the information furnished in response to this notice substantially complies with the request, we will inform you and the review of your renewal application will proceed. If additional information is required, we will communicate that need as soon as possible.

It is of the utmost importance that you respond completely by the specified dates or the "show cause" hearing will be instituted. Failure to show cause at this hearing will result in the expiration of your permit.

Re: Permit by Rule Registration No. 7711A

Thank you for your cooperation in this matter. If you need further information or have any questions, please call Mr. Earl Jones at (512) 239-1351 or write to him at Texas Natural Resource Conservation Commission, Office of Permitting, Remediation, and Registration, Air Permits Division (MC-162), P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

Jeffrey A. Saitas, P.E.
Executive Director
Texas Natural Resource Conservation Commission

JS/EJ/jr

Enclosure

cc: Mr. Tony L. Walker, Air Program Manager, Region 4 - Arlington
Mr. David Miller, Section Manager, Air Pollution Control Program, City of Dallas
Environmental and Health Services, Dallas

AIR PERMITS DIVISION MC-162

MR CESAR HAGE
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AIR PERMITS DIVISION MC-162

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